

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1126 OFFERED BY MR.
SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution or the operation of the previous question, it shall be in order to consider any amendment to the bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 of rule XXI. For purposes of compliance with clause 9(a)(3) of rule XXI, a statement submitted for printing in the Congressional Record by the proponent of such amendment prior to its consideration shall have the same effect as a statement actually printed.

SEC. 6. Within five legislative days the Speaker shall introduce a bill, the title of which is as follows: "A bill to provide a common sense plan to help bring down skyrocketing gas prices." Such bill shall be referred to the appropriate committees of jurisdiction pursuant to clause I of rule X.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Com-

mittee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's "American Congressional Dictionary"*: "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to suspend on H.R. 5613;

Motion to suspend on H. Con. Res. 322;

Ordering the previous question on H. Res. 1125; and

Adopting H. Res. 1125, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3196. An act to designate the facility of the United States Postal Service located at 20 Sussex Street in Port Jervis, New York,

as the "E. Arthur Gray Post Office Building".

H.R. 3468. An act to designate the facility of the United States Postal Service located at 1704 Weeksville Road in Elizabeth City, North Carolina, as the "Dr. Clifford Bell Jones, Sr. Post Office".

H.R. 3532. An act to designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the "Private Johnathon Millican Lula Post Office".

H.R. 3720. An act to designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas, as the "Army PFC Juan Alonso Covarrubias Post Office Building".

H.R. 3803. An act to designate the facility of the United States Postal Service located at 3100 Cashwell Drive in Goldsboro, North Carolina, as the "John Henry Wooten, Sr. Post Office Building".

H.R. 3936. An act to designate the facility of the United States Postal Service located at 116 Helen Highway in Cleveland, Georgia, as the "Sgt. Jason Harkins Post Office Building".

H.R. 3988. An act to designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the "Master Sergeant Kenneth N. Mack Post Office Building".

H.R. 4166. An act to designate the facility of the United States Postal Service located at 701 East Copeland Drive in Lebanon, Missouri, as the "Steve W. Allee Carrier Annex".

H.R. 4203. An act to designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the "Specialist Jamaal RaShard Addison Post Office Building".

H.R. 4211. An act to designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the "Judge Richard B. Allsbrook Post Office".

H.R. 4240. An act to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the "Felix Sparks Post Office Building".

H.R. 4454. An act to designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the "Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building", in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom.

H.R. 5135. An act to designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the "Sergeant Jamie O. Murgans Post Office Building".

H.R. 5220. An act to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the "Major Arthur Chin Post Office Building".

H.R. 5400. An act to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the "Sgt. Michael M. Kashkoush Post Office Building".

H.R. 5472. An act to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building".

H.R. 5489. An act to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office".